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Date of Fax: June 21, 2005
Transmission

Total Number of Pages: 9
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Regarding

Inventor: Timothy E. McCue et al
Title: Adjustable Hinge
Filed: April 22, 2004
Serial No: 10 / 828,589

Item

Response to Office Action dated March 22, 2005

Attachments:

Response to Office action (7 pages)
Form PTO/SB/21 - Transmittal Form (1 page)



PTO/SB/21 (09-04)

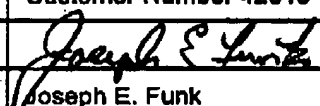
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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10 / 828,589	
	Filing Date	April 22, 2004	
	First Named Inventor	Timothy E. McCue et al	
	Art Unit	3877	
	Examiner Name	Judy J. Swann	
Total Number of Pages in This Submission	7	Attorney Docket Number	

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply (7) <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
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10/828,589 - Adjustable Hinge - Timothy E. McCue & Joseph R. McCue

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Timothy E. McCue et al

Date: June 21, 2005

Serial No.: 10/828,589

Filed: April 22, 2004

Group Art Unit: 3636

Title: Adjustable Hinge

Examiner: Jackson, Andre L.

HON. COMMISSIONER OF PATENTS AND TRADEMARKS
WASHINGTON, D.C. 20231RESPONSE TO FIRST OFFICE ACTION

This paper is in response to an Office Action dated March 22, 2005.

COMMENTS

The Examiner first rejects claims 1, 2, 5, 6, 9 and 11-14 under 35 U.S.C. 102(b) as being anticipated by USPN 398,636 to Mallory. Continuing, the Examiner states that:

"Mallory discloses an adjustable hinge for mounting a door to a fixed structure, comprising;"

"A first plate (g) that is attached to the fixed member; a second plate (a) that is attached to the door; a hinge pin (f); and a first connecting member (m, n) associated with the first plate and having a hole through which the hinge pin passes to pivotally attach the first connecting member to the first plate, the first connecting member having an extension (h); a second connecting member (b) associated with the second plate and having a hole through which the first connecting member extension passes; wherein the hinge pin is used as an adjustment to move the first connecting member along the hinge pin and thereby adjust the position of the door with respect to the fixed member in the vertical direction; and wherein the position of the second connecting member is changed with respect to the first connecting member extension to thereby adjust the position of the door with respect to the fixed member in a horizontal direction."

The applicant has deleted claims 1 - 10 & 13, and has amended claim 11 to merge claim 13 therein. Because of the deletion of claims and amendments to other claims the Examiner's